



The Army Homosexual Policy

L334/O
CT04/V

Basic
Noncommissioned



DOD Homosexual Policy



- **Focuses on homosexual conduct, not orientation.**
- **Soldier will be separated for:**
 - **Statement (e.g. "I am gay").**
 - **Acts**
 - **Marriage**



The Army Homosexual Policy



- Implements 10 U.S. Code § 654
- Implements DOD Policy, DOD Directives 1332.14; 1332.30.
- AR 600-20, Chapter 4, para 4-19
- Policy is a balance between the legal prohibition of homosexual conduct and the privacy rights of soldiers.



What does the Law Say?



“A member of the Armed Forces shall be separated if one of the following findings is made:

- “the member has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts



What does the Law Say? (cont)



- “the member has stated that he or she is a homosexual or bisexual, or words to that effect
- “the member has married or attempted to marry a person known to be of the same sex.”



What is Harassment?



- **Definition:** Derogatory, abusive, threatening or annoying behavior directed toward an individual or group.
- **Possible types of harassment**
 - **Verbal (on or off duty)**
 - **Jody calls regarding homosexuals**
 - **Derogatory, abusive, threatening or annoying language or references about homosexuals**
 - **Graffiti in latrines, bulletin boards, etc.**

L334/0 **Anonymous threats; telephonic,** Basic

CT04 **electronic, etc.**

Noncommissioned



Harassment



- All soldiers will be treated with dignity and respect and will be afforded a safe and secure environment in which to live and work.
- Harassment of soldiers for any reason, to include perceived or alleged homosexuality, will not be tolerated.
- Commanders at every level will take appropriate action to prevent harassment of or threats against any member of the Army.



What Happens if a Soldier Tells Others that he/she is Homosexual or a Bisexual



- If a soldier makes a statement that he or she is a homosexual or bisexual, or makes other statements indicating a propensity to engage in homosexual acts, the soldier's commander may initiate an inquiry to determine whether that member should be discharged.
- Discharge is not required if it is determined that the soldier made the statement for the purpose of avoiding or terminating military service.



Commander's Responsibilities



- 1. Advise the soldier on the DOD Homosexual Policy.**
- 2. Read soldier his rights.**
- 3. Ask the soldier:**
 - If he committed or attempted to commit homosexual acts, or**
 - Does he intend to or will in the future?**
- 4. May question the soldier's supervisory chain of command. Also, other persons suggested by the soldier in the interview.**